UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,917	06/14/2001	William Kress Bodin	AUS920010582US1	8364

34533 7590 06/30/2005

INTERNATIONAL CORP (BLF)
c/o BIGGERS & OHANIAN, LLP
P.O. BOX 1469
AUSTIN, TX 78767-1469

EXAMINER	
PATEL, HARESH N	

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/881,917	BODIN ET AL.	
	Examiner	Art Unit	
	Haresh Patel	2154	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *16 December 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-60* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-60* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-60 are presented for examination.

Response to Arguments

2. Applicant's arguments filed 12/16/2005 have been fully considered but they are not persuasive. Therefore, rejection of claims 1-60 is maintained.

Applicant argues (1), "cited references, i.e., Application Server Solution Guide, Enterprise Edition: Getting Started, Nusbaum, May 2000, Nusbaum et. al., pages 1-45, 416-434 (Hereinafter Nusbaum) and Java Media Framework API Guide, JMF 2.0 FCS, November 19, 1999, Sun Microsystems, page 1-66, 109- 135, 173-178 (Hereinafter Sun), do not contain a suggestion, or motivation to modify or to combine with each other. The examiner respectfully disagrees in response to applicant's arguments. In response to the references containing a suggestion, or motivation to modify or to combine with each other, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of a primary reference. It is also not that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinally skill in the art. In re Keller, 642 F.2d 414, 425, 208 USPQ 871, 881 (CCPA 1981); In re Young, 927 F.2d 588, 591, 18 USPQ2d 1089, 1091 (Fed. Cir. 1991). Nusbaum teaches a method, a system and a computer program product to implement broadcasting objects from a multiplicity of sources of digital information to a multiplicity of client devices (e.g., section 1.3.2. page 12) the method implemented in conjunction with a network of digital computers (e.g., figure 5, page 13), at least one of the digital computers

comprising a content server (e.g., server containing web content, page 13) upon which the steps of the method are implemented in computer memory and upon at least one computer processor (e.g., page 4 and section 2.1.1.1, pages 31 and 32). Sun teaches well known concept of streaming digital content (e.g., streaming media, page 4, MPEG, JPEG, etc., video formatted content, page 6, transcoding the video contents, page 33) and to broadcast user controls (e.g., JMF Applet containing media controls, Appendix A, page 173) and that the object being used for receiving and extraction steps is user control (e.g., Handling of containing media controls of JMF Applet, Appendix A, page 173). With the combined teachings of Nusbaum and Sun, a person of ordinary skill in the art, would utilize the concept of transcoding to transform the digital information. The digital data would be used for streaming information for the device. Therefore, the rejection is maintained.

Applicant argues (2), "cited references, i.e., Nusbaum and Sun do not contain a suggestion of any expectation of success". The examiner respectfully disagrees in response to applicant's arguments. In response to the references containing a suggestion of any expectation of success, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of a primary reference. It is also not that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinally skill in the art. In re Keller, 642 F.2d 414, 425, 208 USPQ 871, 881 (CCPA 1981); In re Young, 927 F.2d 588, 591, 18 USPQ2d 1089, 1091 (Fed. Cir. 1991). The claimed subject matter accomplishes a method, a system and a computer program product to implement broadcasting objects from a multiplicity of sources of digital information to a multiplicity of client devices. Nusbaum

teaches a method, a system and a computer program product to implement broadcasting objects from a multiplicity of sources of digital information to a multiplicity of client devices (e.g., section 1.3.2. page 12) the method implemented in conjunction with a network of digital computers (e.g., figure 5, page 13), at least one of the digital computers comprising a content server (e.g., server containing web content, page 13) upon which the steps of the method are implemented in computer memory and upon at least one computer processor (e.g., page 4 and section 2.1.1.1, pages 31 and 32). Sun teaches well known concept of streaming digital content (e.g., streaming media, page 4, MPEG, JPEG, etc., video formatted content, page 6, transcoding the video contents, page 33) and to broadcast user controls (e.g., JMF Applet containing media controls, Appendix A, page 173) and that the object being used for receiving and extraction steps is user control (e.g., Handling of containing media controls of JMF Applet, Appendix A, page 173). With the combined teachings of Nusbaum and Sun, a person of ordinary skill in the art, would utilize the concept of transcoding to transform the digital information. The digital data would be used for streaming information for the device. The combined teachings of Nusbaum and Sun would support implementing all claimed limitations to accomplish a method, a system and a computer program product to implement broadcasting objects from a multiplicity of sources of digital information to a multiplicity of client devices. Therefore, the rejection is maintained.

Applicant argues (3), "the combined teachings of cited references, i.e., Nusbaum and Sun do not disclose, teach or suggest all of applicant's claimed limitations, in particular, broadcast user controls, remote directors, selected user controls, identification of selected user controls, extraction of identified selected user controls, identifying data communications programs in

dependence upon director instructions, encoding HTML documents in dependence upon selected user controls. The examiner respectfully disagrees in response to applicant's arguments. Nusbaum and Sun teach the claimed limitations, broadcast user controls (e.g., JMF Applet containing media controls, Appendix A, page 173, Nusbaum), remote director (e.g., page 4 and section 2.1.1.1, pages 31 and 32, Nusbaum), selected objects (e.g., page 4 and section 2.1.1.1, pages 31 and 32, Nusbaum); user controls (e.g., JMF Applet containing media controls, Appendix A, page 173, Sun), identification of selected objects (e.g., page 4 and section 2.1.1.1, pages 31 and 32, Nasbum), extraction of identified selected objects (e.g., section 1.2, page 2, section 8.1.10.1, page 420, Nasbum), identifying data communications programs in dependence upon director instructions (e.g., section 7.4, page 375, servlet to be used specified by the servlet aliases, page 2, sections 1.1 and 1.2, pages 1 and 2, Nasbum), encoding HTML document (e.g., creation of HTML document using of servlets, pages 13 and 36) in dependence upon selected objects (e.g., use of Enterprise Java Beans to encode, section 2.1.1.1, pages 31 and 32. The claim is open-ended (comprising), and page 33, lines 19-24 of the specification, clearly states, "It will be understood from the foregoing description that various modifications and changes may be made in embodiments of the present invention without departing from its true spirit. All exemplary embodiments described in this specification are mere examples, not limiting definitions of the invention. It is intended that descriptions in this specification are only for purposes of illustration and are not to be construed in a limiting sense. The scope of this invention should be limited only by the language of the following claims". Since, applicant's claims contain broadly claimed subject matter, it clearly reads upon the examiner's interpretation of the claimed subject matter. Therefore, the rejection is maintained.

Applicant argues (4), "Nusbaum, is Non-analogous Art, not in the same field of endeavor as the present application, is not reasonably pertinent to the particular problem with which the inventor was concerned, and teaching away from the claims". The examiner respectfully disagrees. As per the claimed invention, the applicant dislcoses, a method, a system and a computer program product to implement broadcasting objects from a multiplicity of sources of digital information to a multiplicity of client devices. Nusbaum teaches a method, a system and a computer program product to implement broadcasting objects from a multiplicity of sources of digital information to a multiplicity of client devices (e.g., section 1.3.2. page 12), which is the same field of endeavor. In response to applicant's argument that Nusbaum is nonanalogous art, it has been held that a prior art reference must either be in the field of applicant's endeavor or, if not, then be reasonably pertinent to the particular problem with which the applicant was concerned, in order to be relied upon as a basis for rejection of the claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir. 1992). In this case, a method, a system and a computer program product to implement broadcasting objects from a multiplicity of sources of digital information to a multiplicity of client devices is similar to Nusbaum's teachings of a method, a system and a computer program product to implement broadcasting objects from a multiplicity of sources of digital information to a multiplicity of client devices (e.g., section 1.3.2. page 12) the method implemented in conjunction with a network of digital computers (e.g., figure 5, page 13), at least one of the digital computers comprising a content server (e.g., server containing web content, page 13) upon which the steps of the method are implemented in computer memory and upon at least one computer processor (e.g., page 4 and section 2.1.1.1, pages 31 and 32). The streaming digital content and to broadcast user controls is well known in

the art, for example Sun discloses streaming digital content (e.g., streaming media, page 4, MPEG, JPEG, etc., video formatted content, page 6, transcoding the video contents, page 33) and to broadcast user controls (e.g., JMF Applet containing media controls, Appendix A, page 173). Hence, the combined teachings of Nusbaum and Sun teach what the claims accomplish. The claim is open-ended (comprising), and page 33, lines 19-24 of the specification, clearly states, "It will be understood from the foregoing description that various modifications and changes may be made in embodiments of the present invention without departing from its true spirit. All exemplary embodiments described in this specification are mere examples, not limiting definitions of the invention. It is intended that descriptions in this specification are only for purposes of illustration and are not to be construed in a limiting sense. The scope of this invention should be limited only by the language of the following claims". Since, applicant's claims contain broadly claimed subject matter, it clearly reads upon the examiner's interpretation of the claimed subject matter. Therefore, the rejection is maintained.

Double Patenting

The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. See *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970);and, *In re Thorington,* 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent is shown to be commonly owned with this application. See 37 CFR 1.130(b).

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

3. Claims 1-60 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-22 of copending Application No.09/882174. Although the conflicting claims are not identical, they are not patentably distinct from each other because the limitations of independent claims 1, 21, 41 are similar to claim 1 of copending Application No. 09/882174. The limitations "remote direction of streaming digital content from a content server to a client devices using remote director", is equivalent to the use of content information, transcoding gateway for providing director instructions to stream digital content, and the use of email containing digital content. The limitations of dependent claims 2-20, 22-40, 42-60, are similar to claims 2-22 of copending Application No. 09/882174. The copending application handles transcoding information using the network device. The current application also handles transcoding information using the network device. The claimed subject matter of the copending application does not mention about the broadcasting of user controls for streaming. However, broadcasting of user controls for streaming is well known in the art, for example, paragraph 4 of the Background of the invention section of the specification discloses it. The broadcasting related information would help for transcoding by the software. A person of ordinary skill in the art, would use the well known broadcasting of user controls for streaming and would conclude that claims 1-60 in the present case are obvious in view of claims 1-22 of copending application number 09/882174.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

4. Claims 1-60 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 10-15 of copending Application No.09/881919. Although the conflicting claims are not identical, they are not patentably distinct from each other because the limitations of independent claims 1, 21, 41 are similar to claim 10 of copending Application No. 09/881919. The limitations, "remote direction of streaming digital content from a content server to a client devices using remote director", is equivalent to the use of a content server through which digital content is transcoded into streams of multimedia data, the streams communicated via network to client devices, use of the digital content for streaming, use of remote director instructions comprising hyperlinked URLs invoked through a network-capable device. The limitations of dependent claims 2-20, 22-40, 42-60, are similar to claims 11-15 of copending Application No. 09/881919. The copending application handles transcoding information using the network device. The current application also handles transcoding information using the network device. The claimed subject matter of the copending application does not mention about the broadcasting of user controls for streaming. However, broadcasting of user controls for streaming is well known in the art, for example, paragraph 4 of the Background of the invention section of the specification discloses it. The broadcasting related information would help for transcoding by the software. A person of ordinary skill in the art, would use the well known broadcasting of user controls for streaming and would conclude that claims 1-60 in the present case are obvious in view of claims 1-15 of copending application number 09/881919.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

5. Claims 1-60 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-20 of copending Application No.09/881915. Although the conflicting claims are not identical, they are not patentably distinct from each other because the limitations of independent claims 1, 21, 41 are similar to claim 1 of copending Application No. 09/881915. The limitations, "remote direction of streaming digital content from a content server to a client devices using remote director", is equivalent to the use of streaming digital content from a multiplicity of sources of digital information to a multiplicity of client devices, use of network of digital computers comprising a content server. The limitations of dependent claims 2-20, 22-40, 42-60, are similar to claims 2-12 of copending Application No. 09/881915. The copending application handles transcoding information using the network device. The current application also handles transcoding information using the network device. The claimed subject matter of the copending application does not mention about the broadcasting of user controls for streaming. However, broadcasting of user controls for streaming is well known in the art, for example, paragraph 4 of the Background of the invention section of the specification discloses it. The broadcasting related information would help for transcoding by the software. A person of ordinary skill in the art, would use the well known broadcasting of user controls for streaming and would conclude that claims 1-60 in the present case are obvious in view of claims 1-12 of copending application number 09/881915.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

6. Claims 1-60 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-12 of copending Application No.09/882173. Although the conflicting claims are not identical, they are not patentably distinct from each other because the limitations of independent claims 1, 21, 41 are similar to claim 1 of copending Application No. 09/882173. The limitations, "remote direction of streaming digital content from a content server to a client devices using remote director", is equivalent to the use of remote direction of streaming digital content from a multiplicity of sources of digital information to a multiplicity of client devices upon a network of digital computers comprising a content server receiving digital content from the sources and the digital content having a multiplicity of digital formats. The limitations of dependent claims 2-20, 22-40, 42-60, are similar to claims 2-11 of copending Application No. 09/882173. The copending application handles transcoding information using the network device. The current application also handles transcoding information using the network device. The claimed subject matter of the copending application does not mention about the broadcasting of user controls for streaming. However, broadcasting of user controls for streaming is well known in the art, for example, paragraph 4 of the Background of the invention section of the specification discloses it. The broadcasting related information would help for transcoding by the software. A person of ordinary skill in the art, would use the well known broadcasting of user controls for streaming and would conclude that claims 1-60 in the present case are obvious in view of claims 1-11 of copending application number 09/882173.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 1-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Application Server Solution Guide, Enterprise Edition: Getting Started, Nusbaum, May 2000, Nusbaum et. al., pages 1-45, 416-434 (Hereinafter Nusbaum) in view of Java Media Framework API Guide, JMF 2.0 FCS, November 19, 1999, Sun Microsystems, page 1-66, 109- 135, 173-178 (Hereinafter Sun).

9. As per claims 1, 21 and 41, Nusbaum teaches a method, a system and a computer program product to implement broadcasting objects from a multiplicity of sources of digital information to a multiplicity of client devices (e.g., section 1.3.2. page 12) the method implemented in conjunction with a network of digital computers (e.g., figure 5, page 13), at least one of the digital computers comprising a content server (e.g., server containing web content, page 13) upon which the steps of the method are implemented in computer memory and upon at least one computer processor (e.g., page 4 and section 2.1.1.1, pages 31 and 32), by:

receiving from a remote director a director instruction, the director instruction comprising an identification of a selected object (e.g., page 4 and section 2.1.1.1, pages 31 and 32);

extracting, in dependence upon the director instruction, from a store of objects, the identified selected object (e.g., section 1.2, page 2, section 8.1.10.1, page 420);

identifying, in dependence upon the director instruction, a data communications program that administers data communications between the content server and a client device (e.g., section 7.4, page 375, servlet to be used specified by the servlet aliases, page 2, sections 1.1 and 1.2, pages 1 and 2),

encoding through the data communications program, in dependence upon the selected object (e.g., use of Enterprise Java Beans to encode, section 2.1.1.1, pages 31 and 32), a new HTML document (e.g., creation of HTML document using of servlets, pages 13 and 36); and

downloading, through the identified data communications program, the new HTML document to the client device (e.g., use of servlets to download HTML documents for network servers and clients, section 1.2, page 1, section 7.4, page 375, use of HTML section 1.2, page 2, section 8.1.10.1, page 420).

However, Nusbaum does not specifically mention about streaming digital content and the objects that can be broadcast for streaming. Sun teaches streaming digital content (e.g., streaming media, page 4, MPEG, JPEG, etc., video formatted content, page 6, transcoding the video contents, page 33) and to broadcast user controls (e.g., JMF Applet containing media controls, Appendix A, page 173) and that the object being used for receiving and extraction steps is user control (e.g., Handling of containing media controls of JMF Applet, Appendix A, page 173).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Nusbaum with the teachings of Sun in order to facilitate

transforming of the objects that are broadcast for streaming digital content because the transforming would help transform the digital information. The digital data would be used for streaming information for the device.

10. As per claims 2, 22 and 42, Nusbaum and Sun teach the claimed limitations as rejected above. Nusbaum also teaches the remote director comprises a computer coupled for data communications to the content server, the remote director further comprising a browser (e.g., section 1.4.3, page 20).

11. As per claims 3, 23, 43, Nusbaum and Sun teach the claimed limitations as rejected above. Nusbaum also teaches the director instruction comprises a director URL, the director URL comprising an indication that the director URL is an object broadcast instruction, the director URL further comprising an identification of the selected object to be broadcast (e.g., implementation of servlet aliases, servlet URLs, sections 1.1 and 1.2, pages 1 and 2).

However, Nusbaum does not specifically mention about the details of the objects that can be broadcast for streaming. It is well known in the art to handle broadcasting user controls and that the object being used for broadcast instruction is user control, for example, Sun teaches broadcasting user controls (e.g., JMF Applet containing media controls, Appendix A, page 173) and that the object being used for broadcast instruction is user control (e.g., Handling of containing media controls of JMF Applet, Appendix A, page 173).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Nusbaum with the teachings of Sun in order to facilitate

transforming of the objects that are broadcast for streaming digital content because the objects would provide information that would be used for transforming by the device. The digital information would be used for streaming. The streamed information would be sent from one device to another device.

12. As per claims 4, 5, 24, 25, 44, 45, Nusbaum and Sun teach the claimed limitations as rejected above. Nusbaum also teaches the store of objects comprises a multiplicity of object data records each of which represents a single object and each of which further comprises a user control URL (e.g., Java Server pages containing multiple records, section 1.4, page 13).

However, Nusbaum does not specifically mention about the use of user controls and that each user control data record further comprises a data element that identifies a computer program that gives effect to a user control.

It is well known in the art to use user controls and that each user control data record further comprises a data element that identifies a computer program that gives effect to a user control, for example, Sun teaches user controls (e.g., JMF Applet containing media controls, Appendix A, page 173) and the use of user controls and that each user control data record further comprises a data element that identifies a computer program that gives effect to a user control (e.g., playerapplet, page 63).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Nusbaum with the teachings of Sun in order to facilitate use of the user controls and the use of programs to support user control functionality because the

user controls would provide instruction to the software. The instructions would help provide functionality to the user.

13. As per claims 6, 7, 26, 27, 46, 47, Nusbaum and Sun teach the claimed limitations as rejected above. Nusbaum also teaches searching a store of objects for a object identified in the director instruction, a director URL (e.g., use of servlets for searching objects, Enterprise Java Beans, section 1.2, page 1, section 2.1.1.1, pages 31 and 32),

searching a store of user objects for an object identified in the director URL (e.g., use of URLs by servlets for searching objects, Enterprise Java Beans, section 1.2, page 1, section 2.1.1.1, pages 31 and 32).

However, Nusbaum does not specifically mention about the use of user controls and user control related accessing. It is well known in the art to use user controls and user control related accessing, for example, Sun teaches user controls (e.g., JMF Applet containing media controls, Appendix A, page 173, playerapplet, page 63).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Nusbaum with the teachings of Sun in order to facilitate use of the user controls and accessing the user control related accessing because the user controls would provide instruction to the software. The instructions would help provide functionality to the user.

14. As per claims 8, 28, 48, Nusbaum and Sun teach the claimed limitations as rejected above. Nusbaum also teaches executing an object selection routine that itself is identified in the

director instruction (e.g., use of URLs by servlets for executing object selection functionality, Enterprise Java Beans, section 1.2, page 1, section 2.1.1.1, pages 31 and 32).

However, Nusbaum does not specifically mention about the use of user controls and user control related accessing. It is well known in the art to use user controls and user control related accessing, for example, Sun teaches user controls (e.g., JMF Applet containing media controls, Appendix A, page 173, playerapplet, page 63).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Nusbaum with the teachings of Sun in order to facilitate use of the user controls and accessing the user control related accessing because the user controls would provide instruction to the software. The instructions would help provide functionality to the user.

15. As per claims 9-14, 29-34, 49-54, Nusbaum and Sun teach the claimed limitations as rejected above. Nusbaum also teaches a director URL, and executing a user control selection routine that itself is identified in the director URL (e.g., use of URLs by servlets for executing object selection functionality, Enterprise Java Beans, section 1.2, page 1, section 2.1.1.1, pages 31 and 32).

However, Nusbaum does not specifically mention about the use of user controls and user control related accessing including passing to the user control selection routine a parameter identifying the selected user control / a subscription level / user preferences / user demographics/ a client device type.

It is well known in the art to use user controls and user control related accessing including passing to the user control selection routine a parameter identifying the selected user control (e.g., use of class supporting selection of play, pause or stop, page 45, Appendix A, page 173) / a subscription level (e.g., use of User interface components as per user's state of level access, section 2, page 23) / user preferences (e.g., usage User interface components based on user's custom control selections, page 46) / user demographics (e.g., usage of user's using custom controls, page 46) / a client device type (e.g., setting the playback rate depending upon the client device, page 47).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Nusbaum with the teachings of Sun in order to facilitate use of the user controls and accessing the user control related accessing including passing to the user control selection routine a parameter identifying the selected user control, a subscription level, user preferences, user demographics, a client device type because the user controls would provide instruction to the software. The instructions would help provide functionality to the user. The selected user control would help provide the software to modify processing based on the selected user control functionality.

16. As per claims 15-17, 35-37, 55-57, Nusbaum and Sun teach the claimed limitations as rejected above. Nusbaum also teaches encoding the selected object as a hyperlink and formulating the new HTML document to include the hyperlink (e.g., Use of URLs and generation of HTML document containing the URLs with the use of Enterprise Java Beans, section 2.1.1.1, pages 31 and 32);

an old HTML document further including the hyperlink (e.g., HTML document containing the URLs with the use of Enterprise Java Beans, section 2.1.1.1, pages 31 and 32);

the HTML document that was displayed on the client device just before downloading the new HTML document to the client device (e.g., series of HTML documents provided to the client device with the use of Enterprise Java Beans, section 2.1.1.1, pages 31 and 32).

17. As per claims 18-20, 38-40, 58-60, Nusbaum teaches the claimed limitations rejected under claims 1, 21, and 41. However, Nusbaum does not specifically mention about the minor details, i.e., claimed limitations of claims 18-20, 38-40, 58-60.

It is well-known in the art to use user controls and user control related accessing, for example, Sun teaches use of user controls and user control related accessing including restoring to the client device (e.g., updating the media player at the client device after querying the player, page 53), after timing the duration of the selected user control (e.g., Querying the player for the duration of the user control use, page 53), an old HTML document containing an HTML document that was previously displayed on the client device before downloading the new HTML document to the client device (e.g., use of querying the player to update the information at the client media player in a sequential update of information, page 53).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Nusbaum with the teachings of Sun in order to facilitate use of the user controls and accessing the user control related accessing including restoring HTML documents at the client containing information including reference to previously provided information after timing the duration of the selected object because the user controls

would provide instruction to the software. The instructions would help provide functionality to the user. The HTML documents would provide enhanced support for providing information to the software at the client based on previously provide information.

Conclusion

18. The prior art made of record (forms PTO-892 and applicant provided IDS cited arts) and not relied upon is considered pertinent to applicant's disclosure.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Haresh Patel

June 25, 2005

JOHN FOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100